

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	File No. See Appendix
)	
Annual CPNI Certification)	NAL/Acct. No. See Appendix
)	
Apparent Liability for Forfeiture)	FRN: See Appendix
)	
)	

ORDER

Adopted: July 6, 2011

Released: July 6, 2011

By the Chief, Telecommunications Consumers Division, Enforcement Bureau:

1. In this Order we determine that no forfeiture penalties should be imposed on the companies listed in the Appendix.
2. In the various Notices of Apparent Liability listed in the Appendix we found several companies apparently liable for forfeitures for violating section 222 of the Communications Act of 1934, as amended (the "Communications Act" or "Act"),¹ section 64.2009(e) of the Commission's rules,² and the Commission's *EPIC CPNI Order*³ because it appeared they had not filed a timely and/or compliant CPNI certification for calendar year 2007. Consistent with section 503(b)(4) of the Act, each of these companies was granted an opportunity to show, in writing, why no such forfeiture should be imposed.
3. Upon review of the record, and based upon additional information provided by the companies, we agree that no forfeiture penalties should be imposed on each of the companies listed in the Appendix.
4. **ACCORDINGLY, IT IS ORDERED** that, pursuant to section 503(b) of the Communications Act of 1934, as amended, and sections 0.111, 0.311, and 1.80(f)(4) of the Commission's rules, the proposed forfeiture issued to the companies in the attached Appendix **WILL NOT BE IMPOSED**.

¹ 47 U.S.C. § 222.

² 47 C.F.R. § 64.2009(e).

³ *Implementation of the Telecommunications Act of 1996: Telecommunications Carriers' Use of Customer Proprietary Network Information and Other Customer Information; IP-Enabled Services*, CC Docket No. 96-115; WC Docket No. 04-36, Report and Order and Further Notice of Proposed Rulemaking, 22 FCC Rcd 6927, 6953 (2007) ("*EPIC CPNI Order*"); *aff'd sub nom. Nat'l Cable & Telecom. Assoc. v. FCC*, 555 F.3d 996 (D.C. Cir. 2009).

5. **IT IS FURTHER ORDERED** that a copy of this Order shall be sent by First Class Mail and Certified Mail Return Receipt Requested to each of the companies in the attached Appendix.

FEDERAL COMMUNICATIONS COMMISSION

Richard A. Hindman
Chief
Telecommunications Consumers Division
Enforcement Bureau

APPENDIX

Company name and address	EB File No.	NAL No.	FRN	NAL
<p>Action Communications, Inc.</p> <p>Attorney of record: Dennis C. Brown, 8124 Cooke Court, Suite 201, Manassas, VA 20109-7406</p>	EB-09-TC-059	200932170018	0004914909	<i>Action Communications, Inc.</i> , Notice of Apparent Liability for Forfeiture, 24 FCC Rcd 1717 (Enf. Bur. 2009)
<p>American Fiber Systems of Georgia, Inc., attn.: Bruce T. Frankiewicz, General Counsel and Vice President of Regulatory, 100 Meridian Centre, Suite 300, Rochester, NY 14618</p>	EB-09-TC-060	200932170019	0011028669	<i>American Fiber Systems of Georgia, Inc.</i> , Notice of Apparent Liability for Forfeiture, 24 FCC Rcd 1711 (Enf. Bur. 2009)
<p>Atlantic Telecommunications, Inc.</p> <p>Attorney of record: Katherine Patsas Nevitt, Lukas, Nace, Gutierrez, and Sachs, LLP, 8300 Greensboro Drive, Suite 1200, McLean, VA 22102</p>	EB-09-TC-063	200932170022	0003802204	<i>Atlantic Telecommunications, Inc.</i> , Notice of Apparent Liability for Forfeiture, 24 FCC Rcd 1705 (Enf. Bur. 2009)
<p>Bee Line, Inc. d/b/a Bee Line Cable</p> <p>Attorney of Record: James E. Dunstan, 1000 Potomac Street, NW, Flour Mill Building, 5th Floor, Washington, DC 20007-3501</p>	EB-09-TC-064	200932170023	0004056602	<i>Bee Line, Inc. d/b/a Bee Line Cable</i> , Notice of Apparent Liability for Forfeiture, 24 FCC Rcd 1699 (Enf. Bur. 2009)
General Mobile Radio Service, Inc.,	EB-09-TC-101	200932170060	002758662	<i>General Mobile Radio Service, Inc.</i> ,

attn.: Christopher J. Deluge, P.O. Box 520, Roseville, MI 48066				Notice of Apparent Liability for Forfeiture, 24 FCC Rcd 2171 (Enf. Bur. 2009)
O. Richard Knutson Attorney of record: Elizabeth Sachs, Lukas, Nace, Gutierrez, and Sachs, LLP, 8300 Greensboro Drive, Suite 1200, McLean, VA 22102	EB-09-TC-136	200932170095	0005605688	<i>O. Richard Knutson</i> , Notice of Apparent Liability for Forfeiture, 24 FCC Rcd 2012 (Enf. Bur. 2009)
ProCom LMR, Inc., attn.: Alan D. Haworth, P.O. Box 486, Haysville, KS 67060	EB-09-TC-144	200932170103	0002317725	<i>ProCom LMR, Inc.</i> , Notice of Apparent Liability for Forfeiture, 24 FCC Rcd 2042 (Enf. Bur. 2009)
Telchin Corporation Attorney of record: Edward A. Maldonado, 7925 NW 12 th Street, Doral, FL 33126.	EB-09-TC-164	200932170123	0014225684	<i>Telchin Corporation</i> , Notice of Apparent Liability for Forfeiture, 24 FCC Rcd 2165 (Enf. Bur. 2009)
Edward Adams Associates, Inc., attn: Scott S. Adams, 30469 Beck Road, Wixom, MI 48393- 2841	EB-09-TC-185	200932170144	0003925690	<i>Edward Adams Associates, Inc.</i> , Notice of Apparent Liability for Forfeiture, 24 FCC Rcd 1937 (Enf. Bur. 2009)
Wayne Frank Attorney of Record: David J. Pawlowski, Salutz and Salutz, LLP, 823 Marshall Street, P.O. Box 187, Manitowoc, WI 54221-0187	EB-09-TC-190	200932170149	0002696300	<i>Wayne Frank</i> , Notice of Apparent Liability for Forfeiture, 24 FCC Rcd 1956 (Enf. Bur. 2009)
James T. Hopper Attorney of record:	EB-09-TC-193	200932170152	0005030630	<i>James T. Hopper</i> , Notice of Apparent Liability for

Elizabeth Sachs, Lukas, Nace, Gutierrez, and Sachs, LLP, 8300 Greensboro Drive, Suite 1200, McLean, VA 22102				Forfeiture, 24 FCC Rcd 1963 (Enf. Bur. 2009)
Arthur N. Sherman Attorney of record: Elizabeth Sachs, Lukas, Nace, Gutierrez, and Sachs, LLP, 8300 Greensboro Drive, Suite 1200, McLean, VA 22102	EB-09-TC-194	200932170153	0005027701	<i>Arthur N. Sherman</i> , Notice of Apparent Liability for Forfeiture, 24 FCC Rcd 1970 (Enf. Bur. 2009)
Clifford E. Bade Attorney of Record: Robert Schwaninger, Jr., Schwaninger & Associates, 1331 H Street, NW, Suite 500, Washington, DC 20005	EB-09-TC-196	200932170155	0003965514	<i>Clifford E. Bade</i> , Notice of Apparent Liability for Forfeiture, 24 FCC Rcd 1982 (Enf. Bur. 2009)